IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 12TH SEPTEMBER 2007 / 21ST BHADRA 1929

Bail Appl..No. 5535 of 2007()

CRIME NO. 214/07 OF VITHURA POLICE STATION

PETITIONER/ACCUSED

MOHANAN @ PAINTER MOHANAN,
S/O.KUNJAN, NALUCENT COLONY VEEDU NO.9/700,
VALENKI, ANAPPARA, KOTTAKKAKOM, MURI,
VITHURA VILLAGE.

BY ADV. SRI.NAGARAJ NARAYANAN
SRI.SAIJO HASSAN
SRI.SABU SREEDHARAN

RESPONDENTS: STATE

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 5535 of 2007

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Dated this the 12th day of September, 2007

O R D E R

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found engaging himself in the illicit distillation of arrack. 650 ml. of arrack and utensils for distillation were allegedly seized from him. The petitioner was arrested on 20.8.2007 and he continues in custody from that date. The petitioner has no history of any criminal antecedents, submits the learned Prosecutor.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not seriously oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions. The learned Prosecutor points out that the petitioner is involved in other crimes under the Abkari Act also.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall not be released from custody on the strength of this order prior to 20.9.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

(b) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(c) He shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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